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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/645,866

08/20/2003

Arto Suomi

915-007.44

7674

4955

7590

06/27/2005

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EXAMINER

NGUYEN, HUY D

ART UNIT

PAPER NUMBER

2681

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/645,866

Applicant(s)

SUOMI, ARTO

Examiner

Huy D. Nguyen

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-12 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>no corresponding d.</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4, 7-9, 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by the admitted prior art.

Regarding claims 1, 7-8, 11-12, the admitted prior art teaches a method for supporting a data exchange between terminal equipment and a mobile communication network via a mobile terminal, said method comprising at said mobile terminal: receiving from said terminal equipment a request to establish a connection to said mobile communication network for exchanging data; forwarding said request to said mobile communication network; and in case a failure occurs concerning said requested connection and an indication of a cause of said failure is received from said mobile communication network, forwarding said indication to said terminal equipment (see the specification: page 2, lines 13-22).

Regarding claims 4 and 9, the admitted prior art teaches the method according to claim 1, further comprising at said terminal equipment receiving said indication of a cause of a failure from said mobile terminal and presenting a corresponding information to a user of said terminal equipment (see the specification: page 2, lines 22-25).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art in view of Honda et al. (US 2004/0072580 A1).

Regarding claims 2-3, the admitted prior art teaches the method according to claim 1 except that said failure is a failure resulting in a rejection of said request to said mobile communication network to establish a connection, said indication being an indication of a cause of said rejection. However, the preceding limitation is taught in Honda et al. (see paragraph [0063]). It would have been obvious to one having ordinary skill in the art, at the time of the invention, to apply the teaching of Honda et al. to the teaching of the admitted prior art in order to prevent the danger that unauthorized access is performed against the electronic device.

5. Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art in view of Timm et al. (U.S. 5,890,061).

Regarding claims 5 and 10, the admitted prior art teaches the method according to claim 1 except that the method further comprising at said terminal equipment receiving said indication of a cause of a failure from said mobile terminal and storing said indication for further use. However, the preceding limitation is taught in Timm et al. (see column 4, lines 12-17). It would have been obvious to one having ordinary skill in the art, at the time of the invention, to apply the teaching of Timm et al. to the teaching of the admitted prior art in order to provide an

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emergency cellular communication system having the advantage that any restricted operating modes of an individual cellular telephone are defeated prior to initiating a request for assistance, thereby allowing more reliable connection over a cellular telephone network.

Allowable Subject Matter

6. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 6, the prior arts fail to teach the method according to claim 1, wherein said terminal equipment is connected to said mobile terminal by a point-to-point protocol connection and wherein said mobile terminal forwards said indication of a cause of a failure in a data field of a link control protocol packet.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Huy Nguyen



JOSEPH FEILD
SUPERVISORY PATENT EXAMINER